

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. Claims 1-43 are pending in the present application. The Examiner is respectfully requested to reconsider and withdraw his rejections in view of the amendments and remarks as set forth below.

I. Election/Restriction

Applicant requests examination of Group I, claims 1-11 and 27-30. Applicants request that the non-elected groups, claims 12-26 and 31-43, be cancelled without prejudice.

II. Claim Objections

Claims 27-30 stand objected to for certain informalities. Applicants have amended claim 27 according to the Examiner's suggestions. Therefore, withdrawal of this objection is respectfully requested.

III. Claim Rejections Under 35 U.S.C. § 102

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Miller (U.S. Pat. No. 4,213,224). This rejection is respectfully traversed.

Applicants submit that independent Claim 1 has been amended to include the limitation from dependent Claim 9 that "the pre-filter has a recess for receipt of the primary filter." The Examiner states that Miller '224 has a vacuum cleaner having three successive filters. Applicants submit, however, that the pre-filter **18** of Miller '224 is a dust bag which does not have a recess for receipt of the primary filter **100**. Furthermore, Miller '224 teaches away from receiving the primary filter as claimed by stating that the primary filter **100** has its own housing **102**. Therefore, reconsideration and withdrawal of this



rejection are respectfully requested. Further, Applicants submit that Claims 2-11, which depend from Claim 1, are now patentable in condition for allowance in view of the amendment to Claim 1.

IV. Allowable Subject Matter


The Examiner states that claims 3-11 would be allowable if rewritten in independent form. Applicants have amended Claim 1 to include the allowable subject matter of dependent Claim 9. Applicants thank the Examiner for the indication of allowable subject matter.

V. Conclusion

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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ATTACHMENT FOR CLAIM AMENDMENTS

The following is a marked up version of each amended claim in which underlines indicates insertions and brackets indicate deletions.

1. (Amended) A hand held vacuum cleaner for filtering particles of dust and debris from an airflow passing through the vacuum cleaner, comprising;

a coarse pre-filter; [, and]

a fine primary filter which is located downstream [rearwardly] of the pre-filter in the direction of flow of the airflow; and [.]

wherein the pre-filter has a recess for receipt of the primary filter.

27. (Amended) A hand held vacuum cleaner system comprising:

a housing;

an electric motor disposed within said housing;

a fan driven by said electric motor for generating a suction airflow of [dirt and debris entrained] air-entrained dirt and debris;

a dual filter system including:

a pre-filter for filtering coarse particles of dirt and debris from the dirt and debris entrained air;

a primary filter for filtering fine particles of dirt and debris from the entrained air;

said pre-filter forming an open ended box shape and said primary filter being adapted to rest nestably within said pre-filter;

said primary filter further comprising a concertina shaped filtering material; and



said housing and at least one of said pre-filter [or] and primary filter including cooperating latching structure for mechanically interengaging to releasably secure said pre-filter and said primary filter to said housing.